



Robert L. Barchi, President

October 11, 2017

Mr. Kenneth Swalagin
University Senate
Rutgers, The State University of New Jersey
ASB III, Suite 110
Cook/Douglass Campus

Dear Mr. Swalagin: *Ken*

I write in response to the University Senate Report and Recommendations on Charge S-1609 to create a university-wide academic integrity policy. My thanks to the Academic Standards, Regulations, and Admissions Committee for its analysis of this matter and its recommendations.

I agree that it will be optimal for the University to have a single academic integrity policy that will apply to all schools and colleges of the University, including the professional schools housed within RBHS. As you know, the Secretary of Education recently released a guidance letter withdrawing the Office of Civil Rights' Dear Colleague Letter of 2011 and its "Questions and Answers on Title IX and Sexual Violence," issued in 2014. Secretary DeVos also stated that the Department would implement a rulemaking process to create regulations implementing Title IX's prohibition on sexual violence. A footnote in the communication from the Secretary suggested that at some point it was likely that the standard of evidence for all alleged violations of an institution's code of student conduct would need to be the same. Currently, the standard of evidence for determining alleged violations of the Rutgers academic integrity policy is "clear and convincing evidence," while the standard of evidence for alleged violations of Rutgers' policy against sexual harassment and assault is "the preponderance of the evidence."

Given the uncertainty about what the new regulations will require, I have decided that, for the time being, we will not change the standard of review in either of the aforementioned policies. We will monitor the regulatory process carefully and will work to prepare a proposed academic integrity policy that can be implemented once we have been apprised of the government's requirements concerning the standard of review.

Rutgers is indebted to the members of the University Senate Academic Standards, Regulations, and Admissions Committee for the thoughtful recommendations they have provided.

Sincerely,

Robert Barchi
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